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## FACSIMILE COVER SHEET

**DATE:** September 20, 2006

**TO:** Examiner CHO, Hong Sol      **FAX NO.:** 571-273-8300  
USPTO GPAU 2662

**FROM:** Jeffrey G. Toler  
Reg. No.: 38,342

**RE U.S. App. No.:** 10/668,616, filed September 23, 2003

**Applicant(s):** Robert P. Lowmaster

**Atty Dkt No.:** 1033-SS00412

**Title:** SYSTEM AND METHOD FOR FACILITATING PACKETIZED  
CALLS BETWEEN MANAGED NETWORKS

**NO. OF PAGES (including Cover Sheet):** 20

### MESSAGE:

Attached please find:

- ☒ Transmittal Form (1 pg)
- ☒ Petition to Withdraw Holding of Abandonment (5 pgs)
- ☒ Response Non-Final Office Action (13 pgs)

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PAGE 1/29 \* RCVD AT 9/20/2006 11:49:58 AM [Eastern Daylight Time] \* SVR:USPTO-EFAX-2/11 \* DNIS:2738300 \* CSID:5123275575 \* DURATION (mm-ss):08-54

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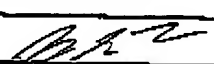
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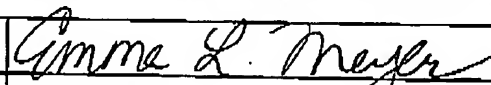
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/668,616	
	Filing Date	September 23, 2003	
	First Named Inventor	Robert P. Lowmaster	
	Art Unit	2662	
	Examiner Name	CHO, Hong Sol	
Total Number of Pages in This Submission	20	Attorney Docket Number	1033-SS00412

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks  <b>CUSTOMER NO.: 60533</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Toler Schaffer, L.L.P.		
Signature			
Printed name	Jeffrey G. Toler		
Date	9-19-2006	Reg. No.	38,342

CERTIFICATE OF TRANSMISSION/MAILING		
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Signature		
Typed or printed name	Emma L. Meyer	Date
		Sept. 20, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert P. Lowmaster

Title: SYSTEM AND METHOD FOR FACILITATING PACKETIZED CALLS  
BETWEEN MANAGED NETWORKS

App. No.: 10/668,616

Filed: September 23, 2003

Examiner: CHO, Hong Sol

Group Art Unit: 2662

Customer No.: 60533

Confirmation No.: 1504

Atty. Dkt. No.: 1033-SS00412

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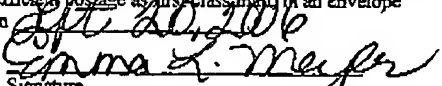
## PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

This is a petition to withdraw holding of abandonment for the above referenced application. The application was held abandoned based on the Applicant's failure to respond to an Office Action mailed March 9, 2006 ("the Office Action"). Applicant respectfully submits that the application is not in fact abandoned under the reasoning of *Delgar v. Schulyer*, 172 USPQ 513 (D.D.C. 1971) because the Applicant's representative did not receive the Office Action.

The following statement of facts is filed in support of the petition:

- 1) The file jacket for the application, maintained by the Applicant's representative, does not include any indication of receipt of the Office Action, as supported by the attached copy of the file index for the application.

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Emma L. Meyer	
Printed Name	Signature

SEP 20 2006

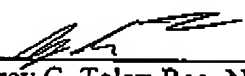
- 2) The docket records for the application do not include any indication of receipt of the Office Action as supported by the attached printouts of the docket record for the application.
- 3) The Applicant's representative only became aware of the holding of abandonment on September 13, 2006 upon receiving a message left by Examiner Cho the same day.
- 4) A response to the Office Action, as retrieved from the U.S. Patent and Trademark Office website, is filed herewith.

Accordingly, Applicant requests the Commissioner to grant this petition to withdraw the holding of abandonment.

While no additional fees are believed necessary, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

9-19-2006  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
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(512) 327-5515 (phone)  
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Atty. Docket No.: 1033-SS00412  
Application No.: 10/668,616  
Application Date: 09/23/2003  
Inventor(s): Robert Lowmaster  
Examiner: CHO, Hong Sol  
Group Art Unit: 2662  
Title: SYSTEM AND METHOD FOR FACILITATING PACKETIZED CALLS  
BETWEEN MANAGED NETWORKS

TOLER, LARSON &amp; ABEL, LLP

**FILE INDEX**

Tab No.	Item	Date
1	Notice to File Missing Parts	12/15/2003
2	Response to Notice to File Missing Parts Assignment and RFCS	02/12/2004
3	Notice of Recordation of Assignment ; Notice of Publication Recordation Date: 02/12/2004; Reel/Frame: 014336/0640	02/13/2004
4	Non-Final Office Action	04/06/2005
5	Copy of PCT International Search Report	04/29/2005
6	Reply to Non-Final Office Action	07/05/2005
7	FINAL Office Action	09/02/2005
8	Request for Continued Examination & Supplemental Amendment	12/02/2005
9		
10		
11		
12		
13		

<b>Efile No</b>	1033-SS00412	<b>Application</b>	10/668,616	<b>Label</b>	BEG
<b>Country</b>	US	<b>Patent</b>		<b>Label</b>	BEG
<b>Case Type</b>	NAT	<b>Client</b>	SBC Knowledge Ventures, LP		
<b>Status</b>	PEN	<b>Owner</b>	SBC Knowledge Ventures, LP		
<b>CPA Reportable</b>			<b>Short Title</b>	<b>System And Method For Calculating Facsimile</b>	
			<b>Case Ref</b>	504	

N	Type	Matter	Due Date	Comp Date	Flag
→	MAN	RCE filed	02Mar2005		
		Status Check NFO	05Jan2005	02Sep2005	
		Post Card Received - NFO	05Aug2005	18Jul2005	
		Corrected Drawings Due	06Jul2005	03Jul2005	
		Response to NFO Due	06Jul2005	05Jul2005	
	R	* Foreign Filing Bar Date	23Sep2004	31Aug2005	
	MP	Missing Parts (4 Mo. Ext.)	15Jun2004	12Feb2004	

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→	MAN	RCE filed	02Mar2005	02Sep2005	
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→	NFO	Post Card Received - NFO	05Aug2005	18Jul2005	
→	MAN	Corrected Drawings Due	06Jul2005	03Jul2005	
→	NFO	Response to NFO Due	06Jul2005	05Jul2005	
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